

CHAPTER 1104

FREE HEALTH CARE CLINICS — CRIMINAL AND ABUSE HISTORY CHECKS — VOLUNTEERS

H.F. 2427

AN ACT relating to access to certain child abuse and dependent adult abuse information by free clinics, and including effective date provisions.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. **NEW SECTION. 135.24A Free clinics — volunteer record check.**

1. For purposes of [this section](#), “free clinic” means a free clinic as defined in [section 135.24](#) that is also a network of free clinics in this state that offers operational and collaborative opportunities to free clinics.

2. Persons who are potential volunteers or volunteers in a free clinic in a position having direct individual contact with patients of the free clinic shall be subject to criminal history and child and dependent adult abuse record checks in accordance with [this section](#). The free clinic shall request that the department of public safety perform the criminal history check and the department of human services perform child and dependent adult abuse record checks of the person in this state and may request these checks in other states.

3. A free clinic subject to [this section](#) shall establish an evaluation process to determine whether a crime of founded child or dependent adult abuse warrants prohibition of the person’s participation as a volunteer in the free clinic. The evaluation process shall not be less stringent than the evaluation process performed by the department of human services and shall be approved by the department of human services.

Sec. 2. [Section 235A.15, subsection 2](#), paragraph e, Code 2018, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (25) To a free clinic as defined in [section 135.24A](#) for purposes of record checks of potential volunteers and existing volunteers at the free clinic.

Sec. 3. [Section 235B.6, subsection 2](#), paragraph e, Code 2018, is amended by adding the following new subparagraph:

NEW SUBPARAGRAPH. (19) To a free clinic as defined in [section 135.24A](#) for purposes of record checks of potential volunteers and existing volunteers at the free clinic.

Sec. 4. [Section 235B.7, subsection 2](#), Code 2018, is amended to read as follows:

2. a. Requests for dependent adult abuse information may be made orally by telephone if a person making the request believes that the information is needed immediately and if information sufficient to demonstrate authorized access is provided. If a request is made orally by telephone, a written request form shall be filed within seventy-two hours of the oral request.

b. The department of inspections and appeals may provide access to the single contact repository established under [section 135C.33, subsection 7](#), for criminal and abuse history checks made by those employers, agencies, and other persons that are authorized access to dependent adult abuse information under [section 235B.6](#) and are required by law to perform such checks.

Sec. 5. **EFFECTIVE DATE.** This Act, being deemed of immediate importance, takes effect upon enactment.

Approved April 10, 2018